

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANE EDWARD ANDRUS,

Defendant.

1:15-CR-2012-SAB

Preliminary Order of Forfeiture

IT IS HEREBY ORDERED THAT:

As the result of the Defendant's guilty plea to Count 1 of the Indictment, charging him with Bank Robbery, in violation of 18 U.S.C. § 2113(a) & (d) for which the United States sought forfeiture of assets pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), Defendant, DANE EDWARD ANDRUS, shall forfeit to the United States any firearm or ammunition involved or used in the commission of the offense, including, but not limited to a Keltec P11, 9mm pistol with serial number 87113.

The Court has determined, based upon the Defendant's plea agreement (ECF No. 27), plea agreement addendum, and discussion during Defendant's sentencing, that the firearm is subject to forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), and that the United States has established the requisite nexus between such firearm described above, and such offense(s).

Upon the entry of this Order, the United States, and/or its agents and representatives are authorized to seize the above-listed assets subject to forfeiture, whether held by the Defendant or a third party, and to conduct any discovery proper in identifying, locating or disposing of property subject to forfeiture, in accordance with Fed. R. Crim. P. 32.2(b)(3).

1 Upon entry of this Order, the United States is authorized to commence any  
2 applicable proceeding to comply with statutes governing third party rights, including  
3 giving notice of this Order.

4 The United States shall publish notice of the order and its intent to dispose of  
5 the property. Pursuant to 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 924 and  
6 28 U.S.C. § 2461(c), the United States will post notice of this order on the official  
7 government internet site [www.forfeiture.gov](http://www.forfeiture.gov) for at least 30 consecutive days.

8 The United States may also, to the extent practicable, provide direct written  
9 notice to any person known to have alleged an interest in the property that is the  
10 subject of this Preliminary Order of Forfeiture, as a substitute for posted internet  
11 notice as to those persons so notified. Any person, other than the above-named  
12 Defendant, asserting a legal interest in the above-listed property may, within thirty  
13 (30) days of the last date of internet posting of notice, or by the date indicated on  
14 direct notice, if sent, whichever is earlier, petition the court for a hearing without a  
15 jury to adjudicate the validity of his/her alleged interest in the above-listed forfeited  
16 assets and for an amendment of the order of forfeiture, pursuant to 21 U.S.C. § 853(n),  
17 as incorporated by 18 U.S.C. § 924 and 28 U.S.C. § 2461(c).

18 Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of  
19 Forfeiture is final as to the Defendant at the time of sentencing, and is made part of the  
20 sentence and included in the judgment.

21 After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A)  
22 and before a hearing on the petition, discovery may be conducted in accordance with  
23 the Federal Rules of Civil Procedure upon a showing that such discovery is necessary  
24 or desirable to resolve factual issues.

25 The United States shall have clear title to the above-listed property following  
26 the Court's disposition of all third-party interests, or, if none, following the expiration  
27 of the period provided in Fed. R. Crim. P. 32.2(c)(2), and 21 U.S.C. § 853(n), as

1 incorporated by 18 U.S.C. § 924 and 28 U.S.C. § 2461(c) for the filing of third party  
2 petitions.

3 The Court shall retain jurisdiction to enforce this Order, and to amend it as  
4 necessary, pursuant to Fed. R. Crim. P. 32.2(e).

5 ORDERED this 22<sup>nd</sup> day of July, 2015.



10 A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

11 Stanley A. Bastian  
12 United States District Judge

13 Presented by:

14 Michael C. Ormsby  
15 United States Attorney

16 s/Benjamin D. Seal  
17 Benjamin D. Seal  
18 Assistant United States Attorney  
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